

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

ROWLAND MARCUS ANDRADE,

Defendant.

Case No. [20-cr-00249-RS-1](#)

**ORDER DENYING MOTION TO
COMPEL**

Of the twenty-five requests defendant Rowland Marcus Andrade (“Andrade”) initially lodged in this motion to compel, only one—for production of the government’s legal instructions to the grand jury—remains. *Compare* Dkt. 33, *with* Dkt. 40. Because such instructions constitute “a matter occurring before the grand jury,” they presumptively are subject to Rule 6(e)’s secrecy provisions. Fed. R. Crim. P. 6(e). Andrade’s request therefore cannot be granted absent a showing of “particularized need.” *See Douglas Oil Co. of California v. Petrol Stops Nw.*, 441 U.S. 211, 228 (1979). Rather than making such a showing here, Andrade recites circumstances common to many, if not most, federal defendants. *See generally* Dkt. 40 at 9 (noting that “the stakes are . . . high” for Andrade, and that the government “may have . . . made erroneous statements during its instructions to the grand jury”). The motion accordingly is denied.

IT IS SO ORDERED.

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Dated: January 26, 2021



RICHARD SEEBORG
United States District Judge